

**REMARKS**

Claims 1, 3, 5, 7, 9, 11, and 13 are all the claims pending in the application, claims 2, 4, 6, 8, 10, 12 and 14 having been canceled as indicated herein. The Examiner maintains the same rejections of claims 1-12, as set forth in the previous Office Action, and adds new arguments in the *Response to Arguments* section of the present Office Action. Also, the Examiner rejects claims 13 and 14, which were added in the previous Amendment. That is, claims 13 and 14 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Isao et al. (JP-06-133500), hereinafter referred to as JP'500. Claims 1, 3, 5, 7, 9, and 11 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bruhn (U.S. Patent No.: 5,909,077) in view of Applicant's admitted prior art (Figures 6-10), hereinafter referred to as APA. Claims 2, 4, 6, 8, 10, and 12 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bruhn in view of the APA and further in view of Kerlin et al. (U.S. Patent No.: 1,629,857), hereinafter referred to as Kerlin.

**§ 103(a) Rejections (Bruhn / APA) - Claims 1, 3, 5, 7, 9, and 11**

Claims 1, 3, 5, 7, 9, and 11 are rejected for the same reasons as set forth in the previous Office Action dated May 23, 2003. The Examiner further adds new arguments in the *Response to Arguments* section of the present Office Action in response to the arguments presented in the previous Amendment dated August 25, 2003. Further, the Examiner cites, for the first time, Figure 4 of Schwabbauer, Figure 3 of Moberly, and Figure 3a of JP'500.

First, Applicant submits that it is unclear whether these newly introduced references are being "officially" applied, and would request that the Examiner "officially" apply these references if these references continue to be relied upon to support the rejections of the claims.

In any event, Applicant amends independent claim 1, as indicated herein, and submits that none of the applied references, either alone or in combination, teaches or suggests at least “a brush having only three contact portions which are in contact with a surface of a commutator fixedly secured to a shaft” and that “two of the three contact portions of said brush are disposed at opposite edges of said brush in said pressing direction and a third one of the three contact portions is disposed at an intermediate portion between said opposite edges, said third one of the three contact portions being substantially equal distance from each of the other two contact portions,” as recited in claim 1. That is, the applied references do not teach or suggest the specific arrangement set forth in amended claim 1.

Applicant submits that dependent claims 3, 5, 7, 9, and 11 are patentable at least by virtue of their dependency from independent claim 1.

§ 103(a) Rejections (Bruhn / APA / Kerlin) - Claims 2, 4, 6, 8, 10, and 12

Claims 2, 4, 6, 8, 10, and 12 are canceled, as indicated herein without prejudice or disclaimer.

§ 102(b) Rejections (JP'500) - Claims 13 and 14

Claims 13 and 14 are rejected over JP'500 for the reasons set forth on pages 3 and 4 of the Office Action.

With respect to independent claim 13, Applicant amends this claim similar to claim 1, and submits that JP'500 does not teach or suggest the particular arrangement set forth in amend claim 13. Specifically, for example, Applicant submits that JP'500 does NOT disclose a brush having only three contact portions, one of which being substantially equal distance from each of the other two contact portions, as described in claim 13. Therefore, at least based on the

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foregoing reasons, Applicant submits that independent claim 13 is patentably distinguishable over JP'500.

With respect to claim 14, this claim is canceled, as indicated herein.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

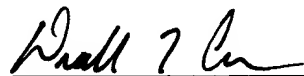
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**23373**

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